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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/820,752	04/09/2004	Shuho Motomura	Q81015	8798
23373	7590	05/24/2006	EXAMINER	
SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037				BAREFORD, KATHERINE A
		ART UNIT		PAPER NUMBER
		1762		

DATE MAILED: 05/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/820,752	MOTOMURA, SHUHO	
	<b>Examiner</b>	<b>Art Unit</b>	
	Katherine A. Bareford	1762	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 11 May 2006.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 9-17 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

*Claims 1-8 are canceled*

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____.   |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>4/04,5/06</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|  | 6) <input type="checkbox"/> Other: _____.                                   |

## DETAILED ACTION

### *Election/Restrictions*

1. Applicant's election without traverse of Group II, claims 6-8 (now claims 9-17) in the reply filed on May 11, 2006 is acknowledged.

The Examiner notes the cancellation of original claims 1-8 and the provision of new claims 9-17 directed to the method of Group II.

### *Claim Objections*

2. Claims 9, 14 and 17 are objected to because of the following informalities: (a) in claim 9, line 2 and claim 17, line 3, "into contact" should be "contact" for grammatical clarity. (b) in claim 9, line 3, "make the coating liquid coated" should be "making the raised coating liquid be coated" for grammatical clarity as to what is required. (c) in claim 17, lines 3-4, "making the coating liquid coated" should be "making the raised coating liquid be coated" for grammatical clarity as to what is required. (d) in claim 14, line 2, "form" should be "from" for correct spelling.

Appropriate correction is required.

### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 9-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Motomura (US 2003/0064159) in view of Motoda et al (US 6010570) and Mendiola et al (US 6254682).

Motomura teaches a coating method of forming a coating film on a surface of a substrate. Figure 1 and paragraph [0002]. Coating liquid is raised by a capillary phenomenon in a nozzle and brought into contact with the surface. Paragraphs [0087] – [0097]. The coating liquid is coated on the surface by the relative movement of the nozzle and substrate. Paragraph [0097]. The substrate is attached to a chucking means such that the surface to be coated is facing downwards and the chucking means is attached to the backside of the substrate. Paragraphs [0056] and [0087] (absorption board 19). The coating film is formed on the surface to be coated by moving at least one of the nozzle and the chucking means in a horizontal direction. Paragraph [0097].

Claim 10: after forming the substrate is released from the chucking means onto a holder. Figure 12 and paragraph [0102].

Claim 11: the chucking is carried out by vacuum means. Paragraphs [0056] – [0062] and [0087].

Claim 12: during the forming of the coating film on the surface, a distance between the nozzle and the surface is controlled so that the film thickness is uniform. Paragraph [0095].

Claim 13: before the forming the nozzle is lifted so that the coating liquid is brought into contact with the surface, and the nozzle is descended an amount to determine a coating thickness. Paragraph [0096].

Claim 15, 17: the coating film is a photoresist. Paragraph [0080].

Claim 16, 17: the substrate comprises a photo mask blank. Paragraph [0088].

Motomura teaches all the features of these claims except for (1) the attachment of the chucking means to the substrate using the holding means as claimed, (2) the release of the substrate such that the coated surface of the substrate faces downward (claim 10), and (3) the holding means with the predetermined angle (claim 14).

However, Motoda teaches a coating method of forming a coating film on a surface of a substrate. Figures 3-4 and column 4, lines 1-20. Coating liquid is raised ~~by a~~ through a slit nozzle and brought into contact with the surface. Figures 3-4 and column 4, line 35 through column 5, lines 30. The coating liquid is coated on the surface by the relative movement of the nozzle and substrate. Figures 3-4 and column 6, line 55 through column 7, line 5. The substrate is attached to a chucking means such that the surface to be coated is facing downwards and the chucking means is attached to the backside of the substrate. Figures 3-4 and column 4, line 5-25 (chuck plate 10). The coating film is formed on the surface to be coated by moving at least one of the nozzle

and the chucking means in a horizontal direction. Figures 3-4 and column 6, line 55 through column 7, line 5. The chucking is carried ~~out by~~ vacuum means. Column 4, lines 20-25. During the forming of the coating film on the surface, a distance between the nozzle and the surface is controlled so that the film thickness is uniform. Column 5, lines 1-10. The coating film can be a photoresist. Column 1, lines 5-10. Motoda teaches to perform the coating as part of an apparatus with a loader section, preliminary processing sections and a resist coating/developing section for the coating process with the slit nozzle. Column 9, line 60 through column 10, line 40 (all part of the "first processing section" see resist coating device 107). The loader section includes cassettes housing untreated substrates and transfer pincers that take the untreated substrates out of the cassettes to transfer into the first processing section and pincers that take treated substrates and transfer into cassettes for holding treated substrates. Column 10, lines 10-25. A main arm is also provided to transfer the substrates between adjacent member devices. Column 10, lines 20-35.

Mendiola teaches treating plate like material that is carried in cassettes for treatment. Column 3, lines 35-45. Mendiola teaches that this device allows inversion of plate like materials in bulk, for treatments like meniscus coating techniques that require the substrate to be inverted. Column 3, line 60 through column 4, line 5. For example, the plate like material in can be inverted, and then the substrate removed from the cassette and the first surface processed from beneath the plate like material using a meniscus coating applicator or any other bottom surface treatment technique, and then

the plate like material is returned to the cassette. Column 7, line 65 through column 8, line 20. Then the cassette inverter apparatus is rotated 180 degrees and the cassette is returned to its original position. Column 7, lines 10-20.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Motomura to provide the attachment of the substrate using a holding means as claimed as suggested by Motoda and Mendiola in order to provide a desirable and efficient coating method, because Motomura teaches a method of coating using a vacuum chuck to hold plate like materials with the coating face facing downwards so that the substrate can be coated with a capillary coating method, and Motoda teaches that when coating with a substrate held by a vacuum chuck to allow coating of the downward facing surface it is desirable to store the substrates in cassettes and then remove them with a holding device (such as arms, pincers) and transfer them to the coating sections and Mendiola teaches that when coating with a substrate held so as to allow downward facing of the substrate, it is desirable to have the substrates placed in bulk in a cassette and inverted to the correct downwards facing position before transfer to the coating device. This would provide that the substrate would be provided from a cassette to a holding means in the desired downwards facing direction and the holding means and the chucking means would necessarily be brought towards each other by moving at least one of the holding and chucking means, since the holding means and the coating means are separated, and after chucking occurs, the holding means and chucking means would have to be separated, so that the chucking means

can process to the separated coating means. Moreover, it would be suggested to release the substrate such that the coated surface of the substrate faces downward because Mendiola further teaches that all the substrates are placed back in the cassette to invert to the upward position, indicating that this occurs after removal from the chuck. It further would have been obvious that the holding means can turn the substrate by a predetermined angle to attach and detach, because at the least, the holding means can maintain the substrate at level, which would provide a predetermined angle change of zero.

### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Katherine A. Bareford whose telephone number is (571) 272-1413. The examiner can normally be reached on M-F(6:00-3:30) with the First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy Meeks can be reached on (571) 272-1423. The fax phone numbers for the organization where this application or proceeding is assigned are (571) 273-8300 for regular communications and for After Final communications.

Other inquiries can be directed to the Tech Center 1700 telephone number at (571) 272-1700.

Furthermore, information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
KATHERINE BAREFORD  
PRIMARY EXAMINER